

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Examiner interview

Applicant appreciates the courtesy extended to Applicant's representative during the telephonic interview conducted with the examiner on October 11, 2006. During the interview, the present invention was discussed in view of the Furukawa patent. Applicant's representative pointed out that the present invention is distinguished by the ability to associate any number of events with a single time field or relative time.

Applicant's representative further pointed out that because any number of events are associable with a single relative time, the size of a file according to the present invention is reduced by the elimination of extra relative time entries that would be otherwise required to express multiple simultaneous events.

The examiner agreed that the Furukawa reference discloses only one or two events associated with a single delta time code, and therefore the present invention could be distinguished over Furukawa by clarifying that a variable (or flexible) number of events are associated with the relative time.

The examiner expressed concern that the claims do not clearly express the aspect of flexibility (whereby any number of events associable with a single event time) of the present invention, and various possible amendments were discussed to more clearly express the present invention.

Also, during the interview, the examiner noted a new reference found during the course of the examiner's preparation for the interview. The examiner pointed out that U.S. patent no. 6,979,769 (Majima et al) discusses "META events" which appear to include multiple events. The examiner pointed out that Figs. 5 and 7 show a structure for "META events" and "Sys. Ex events," respectively, wherein additional data is included in an event.

It was noted that, without further review of the Majima patent, no conclusions could be reached with respect to the particular teachings of Majima.

Following the telephonic interview, Applicant's representative submitted a proposed amendment of claim 1 to the examiner, based on the discussion of the telephone interview, for the examiner's consideration. During a subsequent telephone conversation, the examiner indicated that the proposed amendment appears to clearly set forth the aspect of the present invention whereby any number of events may be associated with a single relative time, and therefore appears to distinguish over Furukawa.

Rejection of claims 1, 6, and 11

Claims 1 and 6 presently stand rejected as being unpatentable over Furukawa, and claim 11 is rejected as anticipated by Furukawa. These rejections are respectfully traversed for at least the following reasons.

Claims 1, 6, and 11 have been amended to more clearly describe the present invention, by clarifying that any number of events may be associated with a single time field or relative time. Claim 1 is amended according to the proposed amendment discussed above, and claims 6 and 11 are similarly amended.

Amended claim 1 provides that, in a method for recording a music file providing a plurality of musical events to be played, a group of events corresponding to a relative time to an event field are recorded, wherein the group may include any number of events corresponding to the relative time are recorded, by recording one of the events of the group of events, determining whether all of the of the events of said group of events have been recorded, and if not repeating the recording step to record another event of the group of events such that any number of events corresponding to the relative time may be recorded to the event field.

Claim 6 is similarly amended, but with respect to a playback, and not recording or creation, of a music file. Claim 11 is similarly amended with respect to a computer-readable media storing a musical file.

It is respectfully submitted that Furukawa fails to disclose or suggest recording to an event field a group of events corresponding to a relative time, wherein the group may include any number of events corresponding to the relative time, such that any number of events corresponding to the relative time may be recorded to the event field.

Furukawa discloses that a single event is represented between two time delta codes (see *Furukawa*; Fig. 10), or that “when two events concurrently take place, the event codes D3 are followed by other event codes D3 as indicated by the middle two boxes in FIG. 2B” (*Furukawa*; paragraph [0008]). Applicant notes that, referring to Furukawa’s Fig. 2C, a single *event* may be associated with multiple *event codes*. “An example of the event codes is shown in FIG 2C, and represents a not-on or note-off, a note number assigned to the tone to be generated or decayed and a velocity of the tone” (*Furukawa*; paragraph [0008]).

Accordingly, while Furukawa states that “a delta-time code D4 may be followed by more than one *event code*” (*Furukawa*; paragraph [0069])(emphasis added), there is no teaching or suggestion of a *group* of *events* that may contain *any number* of *events*. Instead, Furukawa teaches a fixed format that can accommodate only a single event or at most two *events* associated with a single delta-time code.

For at least these reasons, it is respectfully submitted that Furukawa fails to disclose or suggest each and every element set forth in claims 1, 6, and 11 of the present application, and therefore claims 1, 6, and 11 are allowable over the cited references. Accordingly, withdrawal of these rejections is respectfully requested.

Rejection of claims 2-5 and 7-10

Claims 2-5 and 7-10 presently stand rejected as being unpatentable over Furukawa in view of Hikawa et al (U.S. 2005/0066796). This rejection is respectfully traversed for at least the following reasons.

Claims 2-5 depend from claim 1, and claims 7-10 depend from claim 6. As discussed above, claims 1 and 6 are allowable over Furukawa since Furukawa fails to disclose or suggest each and every element set forth in claims 1 and 6. It is respectfully

submitted that Hikawa fails to supplement the deficiencies of Furukawa discussed above, and therefore the combination of Furukawa and Hikawa fails to disclose or suggest each and every element of claims 1 and 6, and accordingly claims 2-5 and 7-10 are allowable over the cited references at least due to their dependency.

Further, Applicant notes that the present application was filed on October 9, 2003 claiming priority of Taiwanese patent application no. 092114941, filed on June 2, 2003. Accordingly, the Hikawa patent application, which was filed on November 17, 2004, does not qualify as prior art since the present application was filed prior to the filing of Hikawa.

Withdrawal of the rejection is respectfully requested for at least these reasons.

The Majima patent (U.S. 6,979,769)

Applicant notes that the Majima patent, mentioned by the examiner during the telephonic interview discussed above but not yet cited of record, discloses “META events” and “Sys. Ex events” which “can be in extended format as hereinafter referred so that various kinds of data can be embedded in the extended format.” (*Majima*; col. 3, lines 19-21). However, referring to Majima’s Fig. 2, it is shown that each of Midi, META, and Sys. Ex events are associated in a one-to-one correspondence with a delta-time code. Therefore, there is no teaching or suggestion of multiple events associated with a single delta-time code.

Referring to Majima’s Fig. 5, a META event is shown again corresponding to a delta-time (part (a) of the figure). While Fig. 5 shows several elements (parts (b), (c), (d), and (e) of the figure) associated with the META event, “figs. 5(b)-(e) show *format examples* of extended META events. 5(b) is a format with embedded audio data, 5(c) a format with embedded text data, 5(d) a format with embedded image data and 5(e) a format with embedded text data and image data, respectively.” (*Majima*; col. 6, line 67 – col. 7, line 5)(emphasis added). Thus, Fig. 5 does not indicate that a META event may contain each of the extended events indicated by Figs. 5(b)-(e), but merely indicates different possible formats for a META event.

This is further clarified by noting that “the FFh at the top is a header showing that *this event* is a META event.” (*Majima*; col 7, lines 7-8). Therefore, while Fig. 5 indicates different possible formats for a META event, there is no teaching or suggestion that META events contain multiple events. A similar conclusion is drawn from *Majima*’s Fig. 7, wherein format examples are shown for Sys. Ex events.

Because *Majima* fails to disclose or suggest that multiple events may be associated with a single time code, it is respectfully submitted that the presently claimed invention is patentable over *Majima*.

Conclusion


In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-11 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant’s attorney, the Examiner is invited to contact the undersigned at the numbers shown.

Respectfully submitted,

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